



US Army Corps  
of Engineers®

Nashville District

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# Public Notice

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Public Notice No. **07-29**

Date: **March 26, 2007**

Application No. **4581300**

Expires: **April 16, 2007**

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Please address all comments to: Nashville District Corps of Engineers,  
Regulatory Branch (Attn: Lisa R. Morris), 3701 Bell Road, Nashville, TN  
37214. Telephone (615) 369-7504. Fax (615) 369-7501.

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**SUBJECT:** Proposed Expansion of Existing Barge Loading Facility at Cumberland River Mile 240.5, Right Bank, Sumner County, Tennessee (Uniserve Conveyor)

**TO ALL CONCERNED:** The project has been submitted for a Department of the Army (DA) Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899. In addition, the applicant is requesting license for construction of the additional facilities on public lands (Tract F-659-1) to be located immediately upstream of their existing facility. If approved, the facility would be added to the existing government license (W912P5-3-05-0016) for a limited barge terminal facility, truck scales and access road.

**APPLICANT:** Garrott Brothers/EJJ Corporation  
PO Box 37066  
Gallatin, TN 37066

**LOCATION:** Cumberland River Mile 240.5, Right Bank, Old Hickory Lake, Sumner County, TN. Government Flowage Easement Tract F-659-1.  
USGS Quad – LaGuardo, TN: lat 36-19.812, lon 86-24.946

**DESCRIPTION:** The applicant proposes to construct a single barge loadout facility with retractable conveyor and wood pole dolphins at the subject location, CRM 240.5R. Currently, Garrott Brothers/EJJ Corporation operates a barge loading facility at CRM 240.3R. A DA permit was issued for the facility in 1980; and according to our files, the facility was constructed in accordance with permit conditions. The proposed addition would be owned by Garrott Brothers/ EJ Corp. and operated by Uniserve for the purpose of loading aggregate onto barges received to be delivered to and at the TVA Gallatin Stream Plant. The proposed facility includes a 50' x 125' gravel work area with a concrete pad. Portions of the pad (about 0.2 acre) would be located on public (government) property. A retractable conveyor would extend across the public property and the Cumberland River when in loading. The barges would be secured to dead man anchors and two wood pole dolphins would be installed to protect the barge from the riverbank during loading. Plans of the existing work are attached.

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The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources.

The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the work, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines it to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historical properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of a Supplemental (to the original prepared in 1980) Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. A Supplemental EA will be prepared by this office prior to a final decision concerning issuance or denial of the requested DA Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and, therefore, initiation of formal consultation procedures with the US Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals may be required for the proposed work. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for hearings shall state, with particularity, the reasons for holding a hearing. Written statements received in this office on or before **April 16, 2007**, will become a part of the record and considered in the determination. Any response should be directed to the Regulatory Branch, Attn: Lisa Morris, at the above address. If you received this notice by mail and wish to view all of the Exhibits, please visit our web site at: <http://www.lrn.usace.army.mil/cof/notices.htm>, or contact Ms. Morris at (615) 369-7504.

86°26.000' W

86°25.000' W

WGS84 86°24.000' W

36°21.000' N

36°21.000' N

36°20.000' N

36°20.000' N

36°19.000' N

36°19.000' N

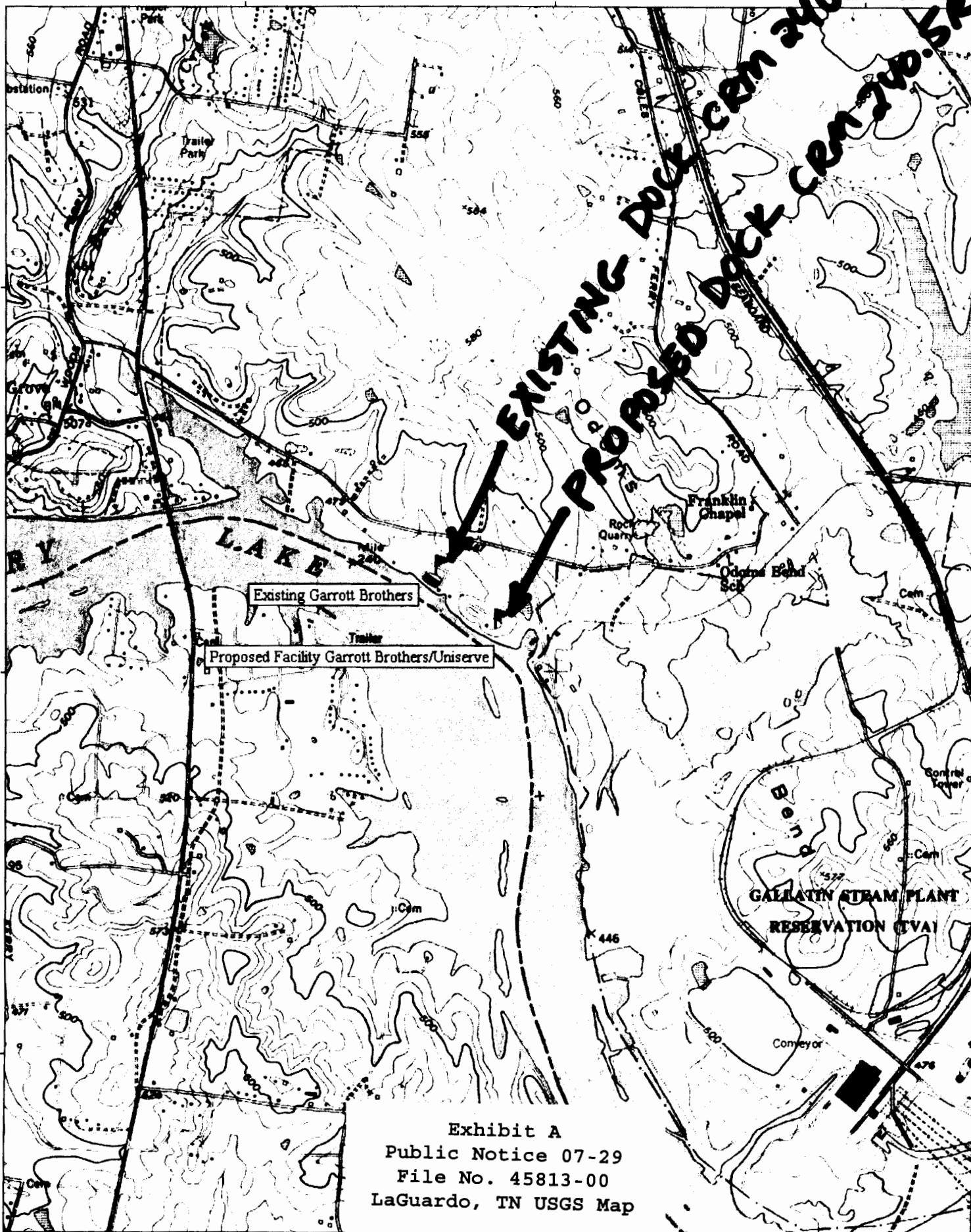


Exhibit A  
Public Notice 07-29  
File No. 45813-00  
LaGuarda, TN USGS Map

86°26.000' W

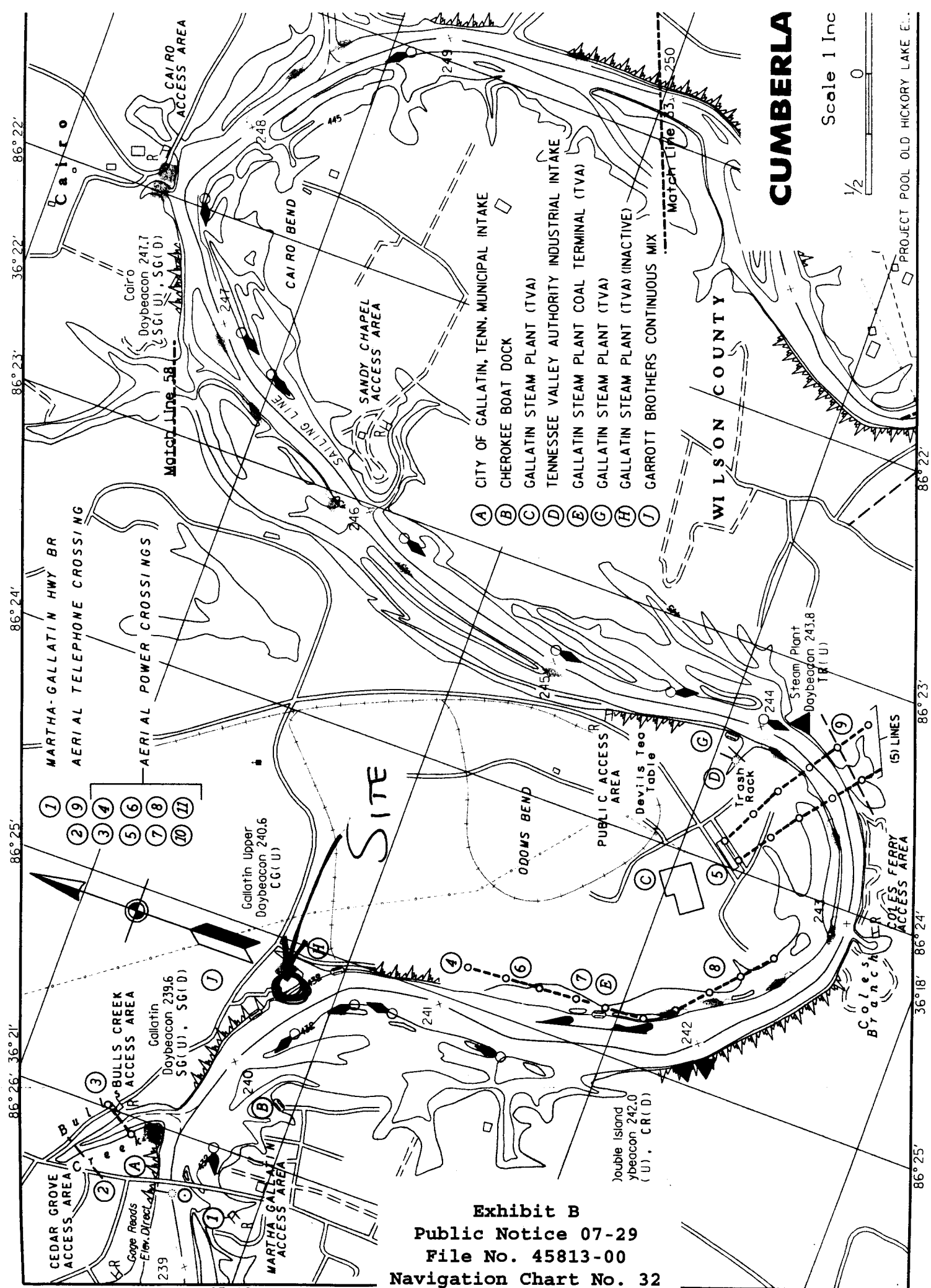
86°25.000' W

WGS84 86°24.000' W

MN TN  
3°

0 1000 FEET 0 500 1000 METERS

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**Exhibit B**  
**Public Notice 07-29**  
**File No. 45813-00**  
**Navigation Chart No. 32**

LEGEND

Gravel Backfill



Cast in Place Concrete



Corp of Engineers Line



Kick Beam

Top of Slab ELE 471.0

50' 20'

Empty Barge Draft

Full Barge Draft

Winter Pool ELE 444.8

Summer Pool ELE 439.8

River Depth 44.5 Feet

**UNISERVE LLC**  
P.O. Box 307 Newport AR 72112

Draft Diagram

Garrett Brothers / EJJ Port

Job No.

Scale

Drawn

Date

12/14/06

1"=5 feet

K. Stadler

SCALE

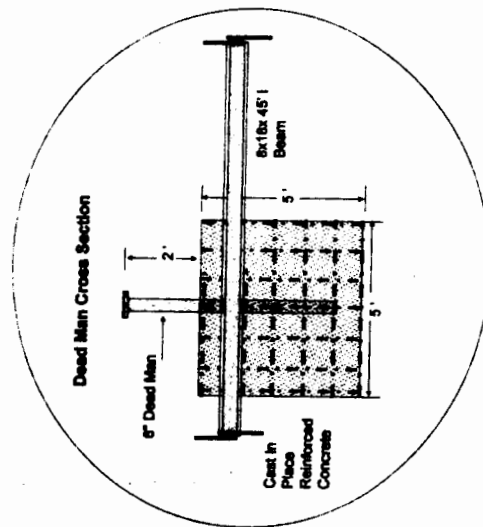


Exhibit C  
Public Notice 07-29  
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